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FAX COVER LETTER

July 20, 2005

TO: Examiner Irshadullah
COMPANY: U.S. Patent and Trademark Office – Art Unit 3623
PHONE: 703.308.6683
FAX: 571.273.8300

FROM: Craig J. Lervick
DIRECT DIAL: (612) 607-7387
EMAIL: CLervick@oppenheimer.com
RE: U.S. Patent Application No. 09/444,739
 Attorney Docket No.: 60021-335501

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that a Transmittal Form, Fee Transmittal and Supplemental Information Disclosure Statement are being facsimile transmitted to the U.S. Patent and Trademark Office on the date listed below.

Janet Byrne

7-20-05

Date

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/444,739
		Filing date	November 22, 1999
		First Named Inventor	Michael G. Mikurak
		Art Unit	3623
		Examiner Name	M. Irshadullah
Total Number of Pages In This Submission	6	Attorney Docket Number	60021-335501

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fcc Transmittal Form <input type="checkbox"/> Fee attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 <input type="checkbox"/> Copy of the PTO Form 1533 (Rev. 9/97), Notice to File Missing Parts of Application <i>Filing Date Granted</i> <input type="checkbox"/> Executed Declaration and Power of Attorney Document	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appal C (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) please identify below): Return Postcard	
			<input type="checkbox"/> Remarks:

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIREDName (Print/Type) *Craig J. Lervick*Signature *Craig J. Lervick*Date *July 20, 2005***CERTIFICATE OF TRANSMISSION/MAILING**I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313 on this date: 7/20/05Typed or printed *Janet Byrne*Signature *Janet Byrne* Date: *July 20, 2005*

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

OPPENHEIMER: 2349399 v01 07/20/2005

FEE TRANSMITTAL for FY 2005 <small>Patent fees are subject to annual revision.</small> <input type="checkbox"/> <small>Applicant Claims Small Entity</small>		Complete if Known																																																																																																																							
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ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>85 Surcharge - late filing fee or oath</td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25 Surcharge - late provisional filing fee or cover sheet</td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130 Non-English specification</td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520 Filing a request for ex parte reexamination</td></tr> <tr><td>1804</td><td>820*</td><td>1804</td><td>920* Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1840* Requesting publication of SIR after Examiner action</td></tr> <tr><td>1251</td><td>120</td><td>2251</td><td>80 Extension for reply within first month</td></tr> <tr><td>1252</td><td>450</td><td>2252</td><td>225 Extension for reply within second month</td></tr> <tr><td>1253</td><td>1,020</td><td>2253</td><td>510 Extension for reply within third month</td></tr> <tr><td>1254</td><td>1,590</td><td>2254</td><td>795 Extension for reply within fourth month</td></tr> <tr><td>1255</td><td>2,160</td><td>2255</td><td>1,080 Extension for reply within fifth month</td></tr> <tr><td>1401</td><td>500</td><td>2401</td><td>250 Notice of Appeal</td></tr> <tr><td>1402</td><td>500</td><td>2402</td><td>250 Filing a brief in support of an appeal</td></tr> <tr><td>1403</td><td>1,000</td><td>2403</td><td>500 Request for oral hearing</td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510 Petition to institute a public use proceeding</td></tr> <tr><td>1452</td><td>500</td><td>2452</td><td>250 Petition to revive - unavoidable</td></tr> <tr><td>1453</td><td>1,500</td><td>2453</td><td>750 Petition to revive - unintentional</td></tr> <tr><td>1501</td><td>1,400</td><td>2501</td><td>700 Utility issue fee (or reissue)</td></tr> <tr><td>1502</td><td>800</td><td>2502</td><td>400 Design issue fee</td></tr> <tr><td>1503</td><td>1,100</td><td>2503</td><td>550 Plant issue fee</td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130 Petitions to the Commissioner</td></tr> <tr><td>1807</td><td>130</td><td>1807</td><td>130 Processing fee under 37 CFR 1.17(a)</td></tr> <tr><td>1808</td><td>180</td><td>1808</td><td>180 Submission of Information Disclosure Stmt</td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40 Recording each patent assignment per property (times number of properties)</td></tr> <tr><td>1809</td><td>790</td><td>2809</td><td>395 Filing a submission after final rejection (37 CFR 1.129(a))</td></tr> <tr><td>1810</td><td>790</td><td>2810</td><td>395 For each additional invention to be examined (37 CFR 1.129(b))</td></tr> <tr><td>1801</td><td>790</td><td>2801</td><td>395 Request for Continued Examination (RCE) Request for expedited examination of a design application</td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900 Other fee (specify)</td></tr> </tbody> </table>				Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	1051	130	2051	85 Surcharge - late filing fee or oath	1052	50	2052	25 Surcharge - late provisional filing fee or cover sheet	1053	130	1053	130 Non-English specification	1812	2,520	1812	2,520 Filing a request for ex parte reexamination	1804	820*	1804	920* Requesting publication of SIR prior to Examiner action	1805	1,840*	1805	1840* Requesting publication of SIR after Examiner action	1251	120	2251	80 Extension for reply within first month	1252	450	2252	225 Extension for reply within second month	1253	1,020	2253	510 Extension for reply within third month	1254	1,590	2254	795 Extension for reply within fourth month	1255	2,160	2255	1,080 Extension for reply within fifth month	1401	500	2401	250 Notice of Appeal	1402	500	2402	250 Filing a brief in support of an appeal	1403	1,000	2403	500 Request for oral hearing	1451	1,510	1451	1,510 Petition to institute a public use proceeding	1452	500	2452	250 Petition to revive - unavoidable	1453	1,500	2453	750 Petition to revive - unintentional	1501	1,400	2501	700 Utility issue fee (or reissue)	1502	800	2502	400 Design issue fee	1503	1,100	2503	550 Plant issue fee	1460	130	1460	130 Petitions to the Commissioner	1807	130	1807	130 Processing fee under 37 CFR 1.17(a)	1808	180	1808	180 Submission of Information Disclosure Stmt	8021	40	8021	40 Recording each patent assignment per property (times number of properties)	1809	790	2809	395 Filing a submission after final rejection (37 CFR 1.129(a))	1810	790	2810	395 For each additional invention to be examined (37 CFR 1.129(b))	1801	790	2801	395 Request for Continued Examination (RCE) Request for expedited examination of a design application	1802	900	1802	900 Other fee (specify)
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3. Application Size Fee (Utility) If the specification and drawings exceed 100 shrs of paper, the application fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.18(e) SUBTOTAL (3) \$0.00																																																																																																																									
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SUBMITTED BY		Complete (if applicable)		
Name	Craig J. Lervick	Registration No.:	35,244	Telephone: 612-607-7387
Signature	<i>Craig J. Lervick</i>			Date: July 20, 2005

*Includes: Filing fee + Examination fee + Search fee

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P A T E N T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael G. Mikurak

Serial No: 09/444,739

Filed: 11-22-1999

Title: System method and article of manufacture for technology sharing during demand and supply planning in a network-based supply chain environment

Docket No: 060021-335501

Group Art Unit: 3623

Examiner: Irshadullah, M.

07/21/2005 TL0111 00000066 501901 09444739
01 FC:1806 180.00 DAMail Stop Amendment
Commissioner for Patents
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Alexandria, VA 22313-1450

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I hereby certify under 37 CFR 1.8 that this correspondence is being transmitted by facsimile to "Mail Stop Amendment", Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" via the facsimile number 571.273.8300 on July 20, 2005.

Janet Byrne

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. § 1.56, § 1.97 and § 1.98, Applicant brings the references listed on the attached Form PTO-1449 to the examiner's attention. 37 C.F.R. § 1.56. These references may be material to examination of the above-identified application. Please do not construe the filing of this information disclosure statement as a representation that applicant has made a search (37 C.F.R. § 1.97(g)), or as an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

This Information Disclosure Statement is being submitted:

- 1. Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d), or within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing date of a first Office action on the merits; or before the mailing of a first Office action after the filing of a request for continued examination under § 1.114, and therefore, Applicant believes no fee is required;
- 2. After the period specified in paragraph (1) hereinabove of this section, but is being filed before the mailing date of either a final action under 37 CFR 1.113, or a notice of

allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and is accompanied by one of the following:

(a) A statement that either:

(i) Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement;

OR

(ii) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement;

OR

(b) The fee of \$180 for filing of an Information Disclosure Statement as set forth in 37 C.F.R. 1.17(p).

3. After the period specified in paragraph (2) of this section, but is filed on or before payment of the issue fee and is accompanied by both:

(a) A statement that either:

(i) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement;

OR

(ii) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement;

AND

(b) The fee of \$180.00 for filing of an Information Disclosure Statement as set forth in 37 CFR 1.17(p).

Applicant would appreciate the Examiner initialing and signing a copy of Form PTO-1449, transmitted herewith, indicating that the information has been considered and made of record herein.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 50-1901 referencing order number 060021-335501.

Respectfully submitted,

By 
Craig J. Lervick, Reg. No. 35,244
Customer No. 29,838

Oppenheimer Wolff & Donnelly LLP
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<p>Substitute for form 1449A/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p><i>(use as many sheets as necessary)</i></p>				Complete if Known	
				Application Number 09/444739	
				Filing or 371(c) Date 11-22-1999	
				First Named Inventor Michael G. Mikurak	
				Art Unit 3623	
				Examiner Name Irsadullah, M	
Sheet	1	of	1	Attorney Docket Number	60021-335501

FOREIGN PATENT DOCUMENTS					
Examiner Initials ⁸	Cite No. ¹	Foreign Patent Document Country Code ² -Number ³ -Kind Code ⁴ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T ⁵

NON PATENT LITERATURE DOCUMENTS		
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
Examiner Signature		Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). ²See *Kinds Codes of USPTO Patent Documents* at www.uspto.gov or MPEP 901.04.

³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.